



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,150	07/13/2006	Daniel Willem Elisabeth Schobben	NL040025	6814
24737	7590	01/04/2010	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			FAULK, DEVONA E	
P.O. BOX 3001				
BRIARCLIFF MANOR, NY 10510			ART UNIT	PAPER NUMBER
			2614	
			MAIL DATE	DELIVERY MODE
			01/04/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/597,150	SCHOBEN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	DEVONA E. FAULK	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 9/30/09.  
 2a) This action is **FINAL**.                  2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,4-8 and 10-20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,4-8,10-13 and 16-20 is/are rejected.  
 7) Claim(s) 13-15 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 7/13/2006 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, regarding the newly recited claim language, filed 9/30/09, with respect to the rejection(s) of claim(s) 1,4-8 and 10 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Taylor.

2. Claims 2,3 and 9 are withdrawn. Claims 11-20 are new.

### ***Claim Objections***

3. Claims 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,4-8,10-12,16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klayman (US 5,784,468) in view of Taylor (US 4,778,027).

Regarding claim 1, Klayman discloses a device having a first and a second sound-generating means (Figures 1 and 2; speaker assemblies 100 and 140), and an input for

a stereo signal (Figure 1; column 4, lines 29-40) comprising left and right sound signals (Figures 1 and 2), and wherein the device has an interconnected first and second part comprising the first and second sound generating means (Figures 1 and 2; each speaker assembly includes a first and second sound generating means), respectively, and wherein the device has means for sending a first signal which is a composite of the left and right sound signals, to the first sound- generating means of the first part), and a second signal, which is a different composite of the left and right sound signals, to the second sound-generating means of the second part (Figures 1 and 2; column 4, lines 44-49-63).

Klayman teaches of coupling sound waves (Figures 1-4). Klayman fails to teach of coupling sound waves generated by the first sound-generating means into a surface when placed upon said surface. Taylor teaches of coupling sound waves generated by a first sound-generating means into a surface when placed upon said surface (Figures 8 and 9; column 3, lines 60-column 4, line 20; column 4, line 61- column 5, line 2). It would have been obvious to modify Klayman so that the first sound generating means couples sound waves into a surface when placed upon said surface for the benefit of providing a better "feel" of the sound or music to the user.

Regarding claim 6, Klayman as modified discloses wherein the first part comprises a coupling means (Klayman, Figures 1 and 2).

Regarding claim 4, the examiner asserts that using orthogonal signals for driving sound generating means in a sound system is well known in the art. It would have been obvious to modify Klayman as modified so that the means for sending are arranged in such a way that the signals are orthogonal signals so that a better sound field can be created.

Regarding claim 5, Klayman as modified discloses wherein the means for sending are arranged in such a way that the first signal comprises a difference signal of left and right stereo signals and the second signal comprises a sum signal of the left and right stereo signals (See Klayman as applied above to the rejection of claim 1)..

Regarding claims 7-8, Klayman as modified teaches of the speakers mounted in a speaker assembly (Klayman, Figures 1 and 2) . The various coupling techniques of a suction element, a magnet and reversible coupling means are all well known in the art. To use one type of coupling means over another is just a matter of substitution. It would have been obvious to modify Klayman as modified so that the coupling means is a suction element, a magnet or reversible coupling for the benefit or using an alternative method of coupling.

Regarding claim 10, the examiner takes official notice that piezoelectric speakers are well known in the art. It would have been obvious to modify Klayman as modified so that the speakers are piezoelectric type speakers for the benefit of having a speaker system more resistant to overload.

All elements of claims 11,12,17,18,20 are comprehended by the rejection of claims 1,4 and 5 (The examiner asserts that the L+R signal reads on the dominant language and the L-R signal reads on the residual language; See Klayman Figure 2).

Regarding claim 16, the examiner asserts that a sound generating means that is positioned on a swivel is well known in the art. It would have been obvious to modify Klayman as modified to have a sound generating means positioned on a swivel for the benefit of providing flexibility.

Regarding claim 19, the examiner asserts that reverse coupling is well known in the art. It would have been obvious to modify Klayman as modified to use reversible coupling for the benefit of having flexible coupling.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEVONA E. FAULK whose telephone number is (571)272-7515. The examiner can normally be reached on 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/597,150  
Art Unit: 2614

Page 7

/Devona E. Faulk/  
Primary Examiner, Art Unit 2614